during 1988-89, the open market availability of foodgrains will improve and their prices stabilise.

Conversion of Land Meant For Religious Purposes into Commercial Purposes

1172. SHRI KAILASH PATI MISHRA: Will the Minister of URBAN DEVELOPMENT be pleased to state:

(a) whether it is a fact that land in Urban area given to a religious institution by Government would be used for religious, cultural and educational purposes only and if the institution wants to put the land to commercial use, it has to seek Government's permission;

(b) what is Government's policy in regard to such land under possession of Churches and Temples and what are the laws related to it;

(c) whether a case in the court of the DC of Ranchi was proceeded against the GEL Church regarding the misuse of Government land for commercial purposes;, and if so, under what policy, rules and laws and with what result; and

(d) the statewise number of similar cases at present against religious institutions?

THE MINISTER OF STATE IN THE MINISTRY OF URBAN DEVELOPMENT (SHRI DALBIR SINGH): (a) Much will depend upon the terms and conditions on which and the purpose for which the land has been given to a religious institution by the concerned Government.

(b) Besides any local laws to which such lands may be subject the Urban Land (Ceiling and Regulation) Act, 1976 provides that any vacant land held by any public charitable or Religious trust (including wakf) shall be exempt from ceiling imposed by this law as long as such land continues to be required and used by such a trust for any public charitable or religious purposes. This is a Central Law, but its day to day enforcement vests with the State Government.

(c) The information received from the Government of Bihar is enclosed as a statement (*See* below)

(d) Such information is not being maintained by the Central Government.

Statement

Facts furnished by the Government of Bihar

(1) About 121 acres of land situated in Ranchi Urban Area was transferred to the Gossner Evengelical Lutheran Church of Chota Nagpur & Assam by the Board of Trustees, on 17-6-1940 after necessary permission was granted by the then Governor General in Council. The Chief Secretary, Bihar vide order No. 1166-C dated 9-5-1940 informed the President Mahasabha about the permission of transfer. There is no mention in the document that the land in question will be used for religious and educational purposes only.

(2) It is true that a commercial commplex is being constructed on the land in question. The shops, which have been constructed, are given on lease. The upper floor is still under construction and they have not taken any permission from the Dy. Commissioner-Cum-Competent Authority, in the matter

(3) It is true that a case under the Urban Land (C & R) Act, 1976 is pending in the Court of Competent Authority. The gossner Evengelical Lutheran Church filed a statement under Section 6 (1) of the Act and a draft statement, under Section 8 of the Act, was served on them. In the meantime, they have leased out the shops which have been constructed, to different persons and no shop has been sold out. Since a case is pending against them under

the Urban Land (C & R) Act, and the shops have been given on lease basis without the permission of the Competent Authority, which is against the Section 26 of the Act, a notice was given to them to stop the work. In reply to the notice, they have informed that the income from the commercial complex will be utilised on the buildings of the Gossner College and School and their upliftment.

In this connection it may be stated that this property was entrusted to G. E. L. Mission, Chhota Nagpur and Assam which was vested in them as Costodian of Enemy Properties, during the first World War, as per the orders of Governor General in Council under the Enemy Trading Act, 1916.

On 13-10-1919, the Custodian Enemy Property, Bihar and Orissa transferred the land to a trust constituted of five persons after the sanction of the Governor Gereral in Council. This document of 1919 by which the Custodian Enemy Property gave the land to the Trust, contained that in aid of furtherance of all or any of the purposes object or work of any protestant mission or Missions Church of Churches in India which may be approved of by the Governor General in Council.

The approval of this transfer of land was granted by the Indian Assembly under the Act IX of 1921 and a Society named-Mission & Trust of Northern India- was constituted . Thereafter on 12-11-1929, Mission Trust of Northern India, on the orders of the Governor General in Council, and on the basis of the Act of 1921, transferred the property to the Board of Trustees and it was decided that the Board of Trustees will look after the property for 10 years, and thereafter, as per the last document, the property will be transferred to the Gossner Evengelical Lutheran Church, Chhota Nagpur and Assam, after obtaining the permission of the Governor General in Council.

Accordingly, on 17-8-1940, the Board of Trustees, after obtaining the approval from the Governor General in Council transfered the property to the G. E. L. Church and after this the Board was dissolved. The information regarding the approval of the Governor General in Council for transfer of the property was conveyed to the Mahasabha of Chief of Automonous Churian, Ranchi, *Vide* order No. 1166 (6) of the Chief Secretary of Bihar.

मण्डल आयोग की सिफारिशों का क्रियान्वयन

1173. **श्री सत्य प्रकाश मालवीय:** क्या कल्याण मंत्री यह बताने की कृपा करेंगे कि:

(क) पिछले वर्गों के लिए स्थापित किए गए मण्डल आयोग की सिफारिशों के क्रियान्वयन के संबंध में अब तक हुई प्रगति का ब्यौरा क्या है;

(ख) मण्डल आयोग की सिफारिशों के क्रियान्वयन में क्या अड़चने पेश आ रही हैं; और

(ग) अब तक एक भी सिफारिश का क्रियान्वयन न किए जाने के क्या कारण हैं?

कल्याण मंत्रालय की राज्य मंत्री (डा० राजेन्द्र कुमारी वाजपेयी): (क) से (ग) सरकार का यही मत रहा है कि मंडल आयोग की रिपोर्ट में अन्तर्विष्ट अन्य पिछड़े वर्गों के लिए आरक्षण आदि के प्रश्न पर जब तक राष्ट्रीय मत नहीं हो जाता, यथा स्थिति बनाई रखी जाए।

नार्थ एवेन्यू क्षेत्र में मदर डेयरी के बूथ का खोला जाना

1174. **श्री सन्तोष बागड़ोदिया:** क्या कृषि मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या यह सच है कि नार्थ एवेन्यू में मदर डेयरी का कोई बूथ नहीं है;